

AMENDED IN SENATE JULY 8, 2009
AMENDED IN ASSEMBLY APRIL 30, 2009
AMENDED IN ASSEMBLY APRIL 20, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 1005

Introduced by Assembly Member Block

February 27, 2009

An act to add Sections 5017.1, 5017.5, and 5103.5 to the Business and Professions Code, relating to accountants.

LEGISLATIVE COUNSEL'S DIGEST

AB 1005, as amended, Block. California Board of Accountancy.

Existing law provides for the licensure and regulation of accountants by the California Board of Accountancy. Existing law sets forth the duties of the board in that regard, and requires all board meetings to be open and public. Existing law authorizes the board to receive and investigate complaints against an accountant licensee or any person acting as an accountant without a license.

This bill would require the board to post the finalized minutes from those board meetings on its Internet Web site within a specified time period. The bill would also require the board to provide a live audio or video broadcast, on its Internet Web site, of its board meetings and would specify that a technical failure prohibiting a live broadcast would not prohibit the board from meeting and taking actions. The bill would require the posted minutes and broadcasts or a link to the minutes or broadcasts to remain on the Internet Web site for at least 3 years. The bill would also require the board to post on its Internet Web site notice of all formal accusations filed by the board against a licensee, as

specified, and would require the notice to contain a link where a person may request, among other things, a copy of the formal accusation.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 5017.1 is added to the Business and
2 Professions Code, to read:

3 5017.1. The board shall ~~post~~, *post*, within 10 days of board
4 approval, the finalized minutes from meetings of the board that
5 are open and public pursuant to Section 5017 on the board's
6 Internet Web site. The minutes shall remain on the board's Internet
7 Web site for at least three years. Providing a link on the Internet
8 Web site to the minutes shall satisfy this requirement.

9 SEC. 2. Section 5017.5 is added to the Business and Professions
10 Code, to read:

11 5017.5. (a) The board shall provide a live audio or video
12 broadcast, on its Internet Web site, of each of its board meetings
13 that are open and public.

14 (b) (1) If technical failure prevents the board from providing a
15 live broadcast as specified in subdivision (a), that failure shall not
16 constitute a violation of this section if the board exercised
17 reasonable diligence in providing a live broadcast.

18 (2) Failure to provide a live broadcast of its board meetings due
19 to technical failure shall not prohibit the board from meeting and
20 taking actions.

21 (c) The recording of the live audio or video broadcast shall
22 remain on the Internet Web site for at least three years. Providing
23 a link on the Internet Web site to the recording of the live audio
24 or video broadcast shall satisfy this requirement.

25 SEC. 3. Section 5103.5 is added to the Business and Professions
26 Code, to read:

27 5103.5. (a) The board shall post on its Internet Web site, in
28 an easily marked and identifiable location, notice of all formal
29 accusations. The notice of any formal accusation shall contain a
30 link to where ~~a consumer can~~ *person may* request and have sent
31 to him or her a copy of the formal ~~accusation~~, ~~including~~
32 *accusation*, and the basis for the accusation and alleged violations
33 filed by the board against a licensee.

1 ***(b) The link to where a person may request and have sent to***
2 ***him or her a copy of the formal accusation shall be clearly and***
3 ***conspicuously located on the same Internet Web site page on which***
4 ***the notice is posted and shall authorize a person to request and***
5 ***receive the information described in subdivision (a) by regular***
6 ***mail or electronic mail.***

O